

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

APR 25 2013
JULIA C. DUDLEY, CLERK
BY: DEPUTY CLERK

UNITED STATES OF AMERICA,) **CASE NO. 7:05CR00048**

) CASE NO. 7:05CR00048

V.

) FINAL ORDER

ROBERT TERZEL-JERMAINE WHITE,) By: James C. Turk
) Senior United States District Judge
Defendant.)

In accordance with the accompanying memorandum opinion, it is hereby

ADJUDGED AND ORDERED

that this motion to vacate, set aside or correct the sentence, pursuant to 28 U.S.C. § 2255, is

DISMISSED as untimely filed, and this action is stricken from the active docket of the court.

Based upon the court's finding that the defendant has not made the requisite showing of denial of a substantial right, a certificate of appealability is **DENIED**.

ENTER: This 25th day of April, 2013.

James L. Bush
Senior United States District Judge